

BILL NO. Z-85-04-09

ZONING MAP ORDINANCE NO. Z-

26-85

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. R-22.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby
designated a P.O.D. (Professional Office District) under the terms of
Chapter 33 of the Code of the City of Fort Wayne, Indiana Of 1974:

That part lying Southward and Westward of the right-of-way
of State Road Number 324, as by F.A. Project No. 724 Sec (5)
Plans dated 1950, comprehended, and by Grantors, George F.
Meyers and Ella Meyers, conveyed and warranted to the
State of Indiana, January 8, 1951, and in Allen County,
Indiana, Deed Record 439, page 255, March 6, 1951 recorded;
of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 29, Township 31
North, Range 13 East, Allen County, Indiana, by metes and
bounds, in particular described as follows, to-wit:

Commencing at the Southwest corner of the East $\frac{1}{2}$ of the
Southwest $\frac{1}{4}$ of Section 29, Township 31 North, Range 13
East, as on the centerline of Vance Avenue; thence North
on the West line of the tract aforesaid, a distance of
1058.1 feet to the Southwesterly right-of-way line of
said U.S. Highway Number 324 at a point situated 2.0 feet
Northwestward of a State Highway Monument situated 75 feet
off centerline of said right-of-way; thence Southwestward
along the aforesaid right-of-way line as situated 75 feet
introrsely concentric to the two-degree centerline curve of
State Road Number 324 as in said Project Plans indicated,
from Station 282+10 to Station 298+62, the right-of-way
line distance of 1525.0 feet, more or less, to its
intersection by the South line of the Southwest $\frac{1}{4}$ of the
Section 29 aforementioned as by the centerline of Vance
Avenue as by Deed of George F. Meyers and Ella Meyers,
husband and wife, to the City of Fort Wayne by Warranty
Deed conveyed for public street use of the South 25 feet
of the Subject Tract; thence Westward along the South line
of said Quarter Section, as by the aforesaid Vance Avenue
centerline defined, and by pavement centerline defined,
a distance of 1061.5 feet, more or less, to the place of
beginning; containing an area of 15.299 acres of land.

and the symbols of the City of Fort Wayne Zoning Map No. R-22, as
established by Section 11 of Chapter 33 of the Code of the City of
Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and
effect from and after its passage by the Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY


BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Redd, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.S.

DATE: 4-9-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd, seconded by Eustace, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 5-28-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-06-85

on the 28th day of May, 1985,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1985, at the hour of 11:30 o'clock PM .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29th day of May, 1985, at the hour of 3:00 o'clock P .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We SECURITY LEASING, INC., a wholly owned subsidiary of
MUTUAL SECURITY LIFE INSURANCE COMPANY
 (Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne
 Indiana, by reclassifying from a/an RA District to a/an P. O. D.
 District the property described as follows:

[SEE EXHIBIT "A" ATTACHED HERETO.]

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: Northwest corner of Vance Avenue and Coliseum

Boulevard, bounded on the west by Sherborne Boulevard, and Hazelwood and Campus Court

Additions, on the south by Vance Avenue, and on the north and east by Coliseum Boulevard.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one
 percentum (51%) or more of the property described in this petition.

<u>SECURITY LEASING, INC.</u>	<u>3000 Coliseum Boulevard East</u>	_____
by: <u>Jack A. Gochenaur</u>	<u>Fort Wayne, Indiana 46805</u>	_____
<u>President</u>	_____	_____
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
 (OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.
SHOAF, PARKER & KEEGAN 2400 Fort Wayne Nat'l. Bank Bldg.
 By: Robert T. Hoover P.O. Box 12709, Fort Wayne, IN 46864 (219) 424-8000
 (Name) (Address & Zip Code) (Telephone Number)
 Robert T. Hoover

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning
 and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street,
 Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Owners of Property

SECURITY LEASING, INC., a wholly
owned subsidiary of MUTUAL
SECURITY LIFE INSURANCE COMPANY

3000 Coliseum Blvd., East
Fort Wayne, Indiana 46805

SECURITY LEASING, INC.
By: *Robert Hooper*
Its duly authorized attorney

(Name)

(Address)

(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST
"OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING
FROM BEING HELD.

EXHIBIT "A"

That part lying Southward and Westward of the right-of-way of State Road Number 324, as by F. A. Project No. 724 Sec (5) Plans dated 1950, comprehended, and by Grantors, George F. Meyers and Ella Meyers, conveyed and warranted to the State of Indiana, January 8, 1951, and in Allen County, Indiana, Deed Record 439, page 255, March 6, 1951 recorded; of the East 1/2 of the Southwest 1/4 of Section 29, Township 31 North, Range 13 East, Allen County, Indiana, by metes and bounds, in particular described as follows, to-wit:

Commencing at the Southwest corner of the East 1/2 of the Southwest 1/4 of Section 29, Township 31 North, Range 13 East, as on the centerline of Vance Avenue; thence North on the West line of the tract aforesaid, a distance of 1058.1 feet to the Southwesterly right-of-way line of said U. S. Highway Number 324 at a point situated 2.0 feet Northwestward of a State Highway Monument situated 75 feet off centerline of said right-of-way; thence Southeastward along the aforesaid right-of-way line as situated 75 feet introrsely concentric to the two-degree centerline curve of State Road Number 324 as in said Project Plans indicated, from Station 282+10 to Station 298+62, the right-of-way line distance of 1525.0 feet, more or less, to its intersection by the South line of the Southwest 1/4 of the Section 29 aforementioned as by the centerline of Vance Avenue as by Deed of George F. Meyers and Ella Meyers, husband and wife, to the City of Fort Wayne by Warranty Deed conveyed for public street use of the South 25 feet of the Subject Tract; thence Westward along the South line of said Quarter Section, as by the aforesaid Vance Avenue centerline defined, and by pavement centerline defined, a distance of 1061.5 feet, more or less, to the place of beginning; containing an area of 15.299 acres of land.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 9, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-04-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 15, 1985;

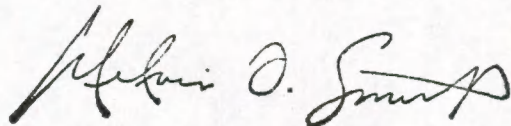
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 22, 1985.

Certified and signed this
2nd day of May 1985.



Melvin O. Smith
Secretary

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 10889

FT. WAYNE, IND.,

3/12 1985

RECEIVED FROM

Shoals Park & Keyway

\$ 50.00

THE SUM OF

fifty

100

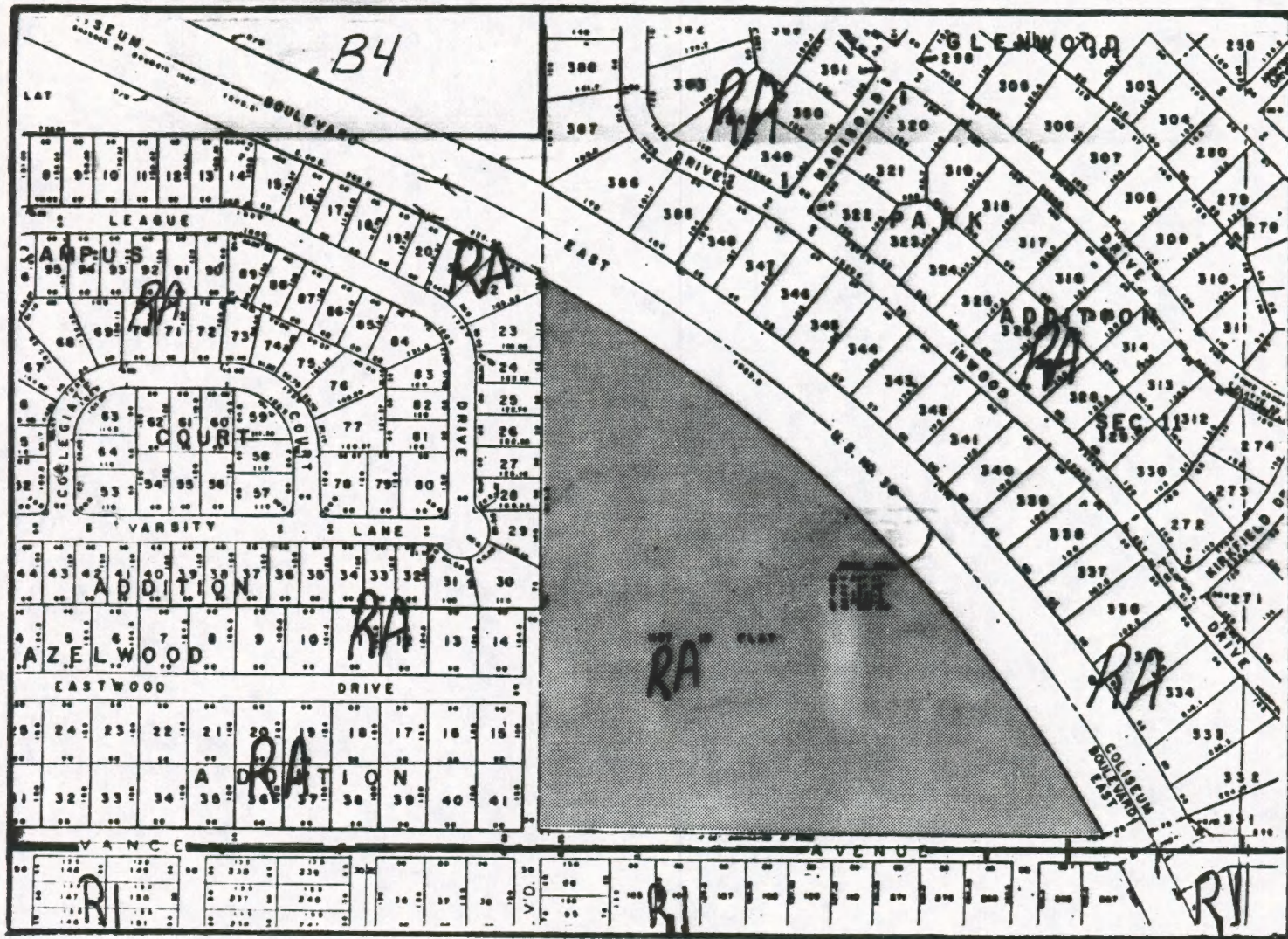
DOLLARS

ON ACCOUNT OF

reopening RAB P.O.D.
Fay B.

AUTHORIZED SIGNATURE

GENERAL LOCATION MAP FOR 3000 COLISEUM BLVD. EAST



Zoning:

Land Use:

- RA RESIDENCE "A"
- RI RESIDENTIAL DISTRICT
- B4 ROADSIDE BUSINESS

BILL NO. Z-85-04-09

Scale: 1"=200'

-29- Date: 3-26-85



Division of Community
Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

Northwest corner of Vance Avenue &
Coliseum Blvd.

Reason for Project

To develop a professional office complex.

Discussion (Including relationship to other Council actions)

April 15, 1985 - Public Hearing

Ben Eisbert read a letter in to the record from the Brentwood Neighborhood Association. Letter is attached for your information.

Robert Hoover, attorney, appeared before the Commission representing the petitioner. He stated that Mutual Security Life, the petitioner, presently have a home office located at 3000 Coliseum Blvd., East which is near and in the immediate vicinity of the requested zoning. He stated that the petitioner wants to develop a planned office development on the property in question. He stated the petitioner intends to construct 3 buildings on the site, to occupy a portion of the space constructed and to currently rent the balance of the space. He stated the project has been designed so that it can meet the long term home office needs of Mutual Security Life. He stated that buildings 1 & 2 will be 3-story buildings; building 3 is to be a 4-story building. He stated that the total area covered by buildings would be 61,530 sq. ft. He stated that is a 9.6% of the site coverage. He stated that the approximate amount of sq. footage on all floors is 209,00 sq. ft. He stated the plan provides for parking of approximately 656 cars. He stated that they intend to retain as much natural foliage and as many trees as possible. He stated that they feel that this plan will allow for the retainage of the greatest amount of trees and foliage. He stated it will also allow for the landscaping of the parking lot which will make the site more attractive.

He stated that building one has a 35 foot setback from Vance Avenue, all three buildings are setback from the right-of-way line of Coliseum Blvd., approximately 80 feet. He stated that building #3 has a setback of 70 feet from the west boundary line. He stated that the proposed height of buildings 1 & 2 is 40'6" and the height of #3 is 54'. He stated that the height limitation in a P00 is 35' and therefore they have filed with the BZA to waive the height restriction and allow for 55'. He stated that the buildings will be built of brick and be 3-sided so that it will appear that the buildings have no back side. He stated that the buildings will not all be built at one time, it is anticipated that #1 or #3 will be constructed first depending upon Mutual Security's own needs and the needs of certain tenants. He stated that they have two lakes on the property which have been put in for aesthetic value as well as the one lake on the northwest of the property will also serve as a retention area for any excess storm water. He stated that the existing woods on the west side

and a portion of the south side of the property provide for a natural buffer. He stated that they intend to screen plant of 6 feet high or more west of the lake at the northwest corner so as to further shield the site from the west. He stated that the south border will have mounding from 2 to 4 feet in order to shield the parking area from Vance Avenue. He stated they also intend to plant trees and other foliage on top of the mounding. He stated that if they have any doubts about Mutual Security's interest in landscaping they should observe their current home office landscaping and their maintenance program.

He stated that they have had a traffic study done by Barton-Aschmen Associates. He stated that the traffic plan proposed by Mutual Security is in accordance with the study and recommendations of Barton-Aschmen. He stated that it is the opinion of the study that the existing roads, traffic patterns are adequate to serve the proposed development. He stated that the peak traffic periods for a complex of this type are in the morning and evening. Between 7 and 9 a.m. in the morning and 4 and 6 p.m. in the evening. He stated that the site plan calls for one entrance on Coliseum located approximately 1,000 feet north of the intersection of Vance and Coliseum. He stated that the entrance has been designed for a right in and a right out only with appropriate acceleration and deceleration lanes. He stated that they have to get approval for a cut on Coliseum Blvd., from the State Highway Department. He stated they feel they will be able to obtain approval for a cut from the State Highway. He stated that the second entrance will be on Vance Avenue located approximately 750 feet west of the intersection of Vance & Coliseum. He stated they propose to add a third lane to Vance Avenue. He stated the lane will come from Mutual Security's property and will run the length of the property starting at the intersection of Coliseum & Vance and will taper back into two lanes at Sherbornes. He stated the purpose of adding the third lane is so that there will be a passing lane and a turn lane, so that people approaching the site from the west can make a left turn, affording residents living on the south side of Vance, if they come from the east will be able to get into the center lane and be able to make a left turn into their driveways.

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Mutual Security Life Ins. City Department Other
Opponents	Groups or Individuals Listed in Discussion Basis of Opposition -traffic congestion -project does not fit aesthetically in area
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not p

DETAILS

He stated that they have submitted plans to the utilities and feel that the utilities in the area are adequate for their needs. He stated that the use of the retention pond has permitted them to design the storm sewer system to meet the 100 year frequency rainfall criteria, so that any excess storm water will be held on the site until it can be run off through the existing storm sewers. He stated that there are 15 and 18 inch storm drains to the west and Sherborne. He stated the engineering staff of Boner & Associates has insured them that these utilities are more than adequate for their needs.

He stated he realized they cannot please everyone, but they do not feel it is unrealistic to leave the land undeveloped and it is not economically sound and it is not within the City's Comprehensive Plan to leave the land undeveloped. He stated that the Fort Wayne Comprehensive Plan designates this area for commercial development. He stated the developer has the financial ability and proven track record to construct and maintain a quality office project as the type proposed. He stated they feel they have developed a very sound site plan, within all reasonable requests, the plan protects to the greatest extent the character of the surrounding neighborhoods.

Duane Embury questioned how well they could buffer Building #3 since it would be 4-stories as opposed to the other two buildings.

Mr. Hoover stated that the highest elevation is where Building #2 is located and although Building #3 is a 4-story building it will only be about 8 feet above Building #2 because of the topography.

Mal Smith questioned the projected number of employees the complex would have and how much traffic do they feel they will generate from the complex.

Mr. Hoover stated that as to the number of employees he could not answer. He stated that Mutual Security has leased office space in other locations because of the shortage of space. He stated that they cannot tell exactly where the traffic will be coming from, but they can look at the existing counts at all times of the day. He stated they are projecting 400 cars in and out in the peak hours. He stated that during the peak hours the maximum increase of traffic on Vance will be from 15 to 200.

Duane Embury asked if they intended to add any new traffic lights.

Mr. Hoover stated that they did not anticipate any additional signalization and the traffic study indicates that the facilities in the area are sufficient.

The following people appeared in opposition to the requested rezoning and development plan:

Don LaFever, 3535 Campus Court	Joan Banet - 2702 Sherborne
Doug Morris - 2714 Farnsworth Drive	Laura Harn - 3630 Vance
Darrell Phillips - 3504 Vance	Dorothy Roberts - 3525 Vance
Robert Copeland - 3516 Vance Avenue	Jerry Zint - 3614 Vance
Sarah Clavenger - 3518 Vance Avenue	Alice Albertson - 3342 Eastwood
Jane Neiger - 2902 Sherborne	Don Firth - 3710 Vance Avenue

there main reasons for opposition to the requested rezoning were:

- 1) Traffic - It was stated by one opponent that he did not feel the traffic study done was adequate. He stated he had read the study and they had done a study of traffic on the street on one day only.
- 2) Child safety due to the increased traffic and also the lakes being put on the property.
 - Felt the traffic from the complex would spill over into the residential areas to avoid the heavy traffic on Coliseum & Vance.
 - They have a rodent problem in the area and felt this would only add to it.
 - The property in question has not been maintained so far, would the petitioners really build and maintain the way they are proposing.
 - They have a water runoff problem this would only add to the drainage problems.
 - This type of complex would only devalue the properties in the area.
 - They did not feel this type of complex would fit aesthetically into the area.

Mr. Firth presented the Commission with a petition signed by the properties owners on Vance and a list of objections to the rezoning. List is attached.

Ben Eisbart suggested that Mr. Hoover set a time to meet with the area representatives to answer the questions that had been raised.

Mr. Hoover stated he would. He stated that Mutual Security does have the interests of the neighborhood in mind. He stated they do want to develop the property and intend to do it in the best possible manner. He stated that he felt most of the concern focused around the traffic on Vance Avenue. He realized no one wanted traffic going by their house. He stated they have tried to design what they feel is the best traffic plan. He stated that Vance Avenue is a collector street, a main artery. He stated that from their study they do not feel this will cause any undue increase in the traffic.

Mal Smith asked what type of lighting they would have on the property.

Mr. Hoover stated they have not addressed that issue yet. He stated they would conform with the lighting standards set out by the city. He stated they would keep it directed to the site.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning and primary plan.

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

April 22, 1985 - Business Meeting

Motion to approve was made and carried.

Of the 8 member present 7 voted aye one did not vote.

Note: A letter to Attorney Bob Hoover, the petitioner's representative is attached stating the conditions placed upon the primary approval of the development plan for this Professional Office District.

PROJECT START DATE March 12, 1985

PROJECT COMPLETION DATE May 1, 1985

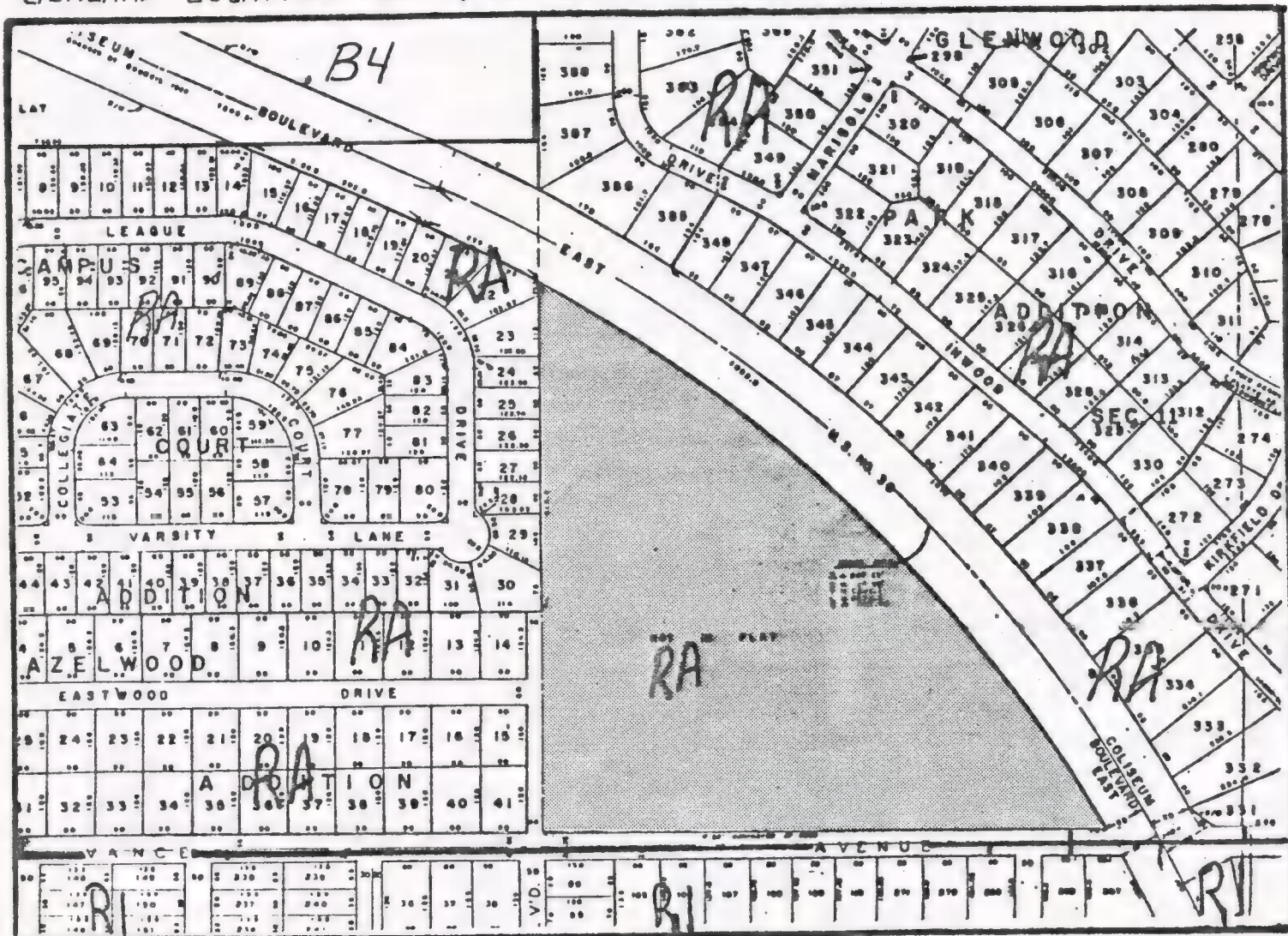
FACT SHEET PREPARED BY DATE May 1, 1985

Pat Biancaniello

REVIEWED BY DATE May 1, 1985

Gary F. Baeten
Gary F. Baeten

GENERAL LOCATION MAP FOR 3000 COLISEUM BLVD. EAST



Zoning:

Land Use:

- RA RESIDENCE "A"
- RI RESIDENTIAL DISTRICT
- B4 ROADSIDE BUSINESS

BILL NO. Z-85-04-09

Scale: 1" = 200'

-29- Date: 3-26-85



Change of Zone #122

PROPOSAL:

Security Leasing, Inc., petitioning for a change of zone from RA to POD.

GENERAL INFORMATION:

Location:	The NW corner of Vance & Coliseum Blvd.
Legal Description:	See File
Existing Zoning:	RA
Size of Property:	Approximately 14.69 acres
Surrounding Land Use & Zoning:	North - RA - Residential South - R-1 - Residential East - RA - Residential West - RA - Residential
Reason For Request:	To establish a professional office district.
Comprehensive Plan:	This request is located in the Middle Ring as defined by the Comprehensive Plan. General Land Use Policies state that rezonings and development proposals should be compatible with existing land uses and not establish an undesirable precedent in the area to be developed. The goal in the Middle Ring is to maintain investments and prevent deterioration in existing neighborhoods. The Comprehensive Plan designates this as a future commercial area.
Urban Design:	Approved
Neighborhood Planning:	Even though the area isn't in a neighborhood strategy area, an office complex, planned or not, would greatly detract from the surrounding residential neighborhoods. Any development in this area other than residential or park/open space would be detrimental to the area.
HANDS:	No comment
Housing Authority:	No Comment

Change of Zone #12Z
2 April 1985

Page two

SPECIAL INFORMATION:

Physical Characteristics:

Currently an unplatted open area.

PLANINNG STAFF DISCUSSION:

The current zoning on the property would allow for a number of uses, including multi-family developments. We feel that the residential quality of life should be considered prior to approving any development of this tract. A professional office district would appear to be a more compatible use regarding the surrounding area, however, we would prefer to see either a single family residential, or park development here.

The Comprehensive Plan does show business uses at this location. Inasmuch as the area immediately to the south and west is all developed into single family residential, we feel that this site be handles very sensitively as to visual screening and more importantly the traffic flow from this site not be allowed to traverse the residential area to the west. The development plan should be reviewed in this respect very carefully.

RECOMMENDATION:

Approval

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 9, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-04-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 15, 1985;

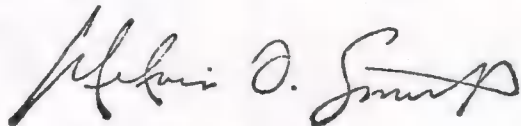
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
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This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 22, 1985.

Certified and signed this
2nd day of May 1985.



Melvin O. Smith
Secretary

April 21, 1985

Mr. Benjamin A. Eisbart
President
City Plan Commission
Room 803 City-County Building
One Main Street
Fort Wayne, Indiana 46802

Re: Mutual Security Life
POD Rezoning Petition
Vance and Coliseum

Dear Ben:

Upon your recommendation representatives of the residences around the Coliseum/Vance property met with representatives of Mutual Security Life Insurance Company for the purpose of resolving areas of conflict with regard to the proposed use of the property to be rezoned.

As a representative for the Brentwood Neighborhood Association, I feel the following items would be acceptable for the development of this property:

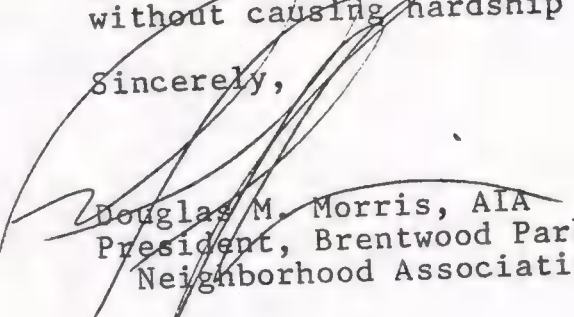
1. I understand that this development will solve, rather than create storm water drainage problems, and feel comfortable that the City Water Pollution Control Department will assure that proper storm drainage is recommended.
2. The No. 1 Building should be moved back a minimum of 15' from the proposed location to allow 50' back from the right-of-way line on Vance Avenue. The architect for the development has assured that he will try to move this building back as much as possible, and also consider rotating that building so that instead of one complete wall of the building running parallel to Vance the building corner would be the closest point of building to the right-of-way line, in which case, I would not object to the 35' setback from the right-of-way which they now have shown.

Mr. Benjamin A. Eisbart
April 21, 1985
Page 2

3. Screening along Vance is a major concern with regard to shielding the mass of cars which might be the general appearance from the homes along Vance. The existing zoning ordinance has specific requirements with regard to screening; in addition, Mutual Security has agreed to construct mounds to a height of 4' in areas where existing woods are not maintained. The screening immediately along Vance and the first couple of landscaping rows north will be planted with more mature trees and shrubs so that residences along Vance will not have to wait many years for that landscaping to develop. It is also recommended that if the existing woods become too thin after portions have been removed for parking, additional trees and shrubs shall be added to fill in the screening.
4. If this project is done in phases, it is hoped that Building No. 3 would be constructed first, with only enough trees removed at that time to allow for the building parking and site circulation; and that the entire site be maintained as if the project were at a completed stage, therefore, the project would not have an appearance that it was continually under construction.
5. The traffic with regard to this project is the one area where the neighborhoods and the developers could not find room for compromise. It is the neighborhood's position that there should be no site access along Vance Avenue.

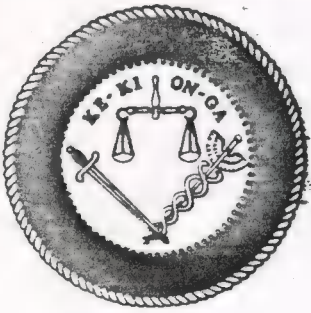
The meeting with the Mutual Security representatives was very positive in opening lines of communication, and I hope that the comments resulting from this meeting assist the City Plan Commission in establishing guidelines for the development of this site, which will allow it to be a successful development without causing hardship on the surrounding neighborhoods.

Sincerely,


Douglas M. Morris, AIA
President, Brentwood Park
Neighborhood Association

DMM/pdr

cc: Mr. Robert T. Hoover - MSL, Attorney
Mr. Joe A. Driver - MSL, Plant Manager



The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

24 April 1985

Mr. Robert Hoover
2400 Fort Wayne National Bank Bldg.
Fort Wayne, IN 02

Re: Mutual Security Life Development Plan
(Vance & Coliseum)

Dear Mr. Hoover:

The City of Fort Wayne City Plan Commission reviewed the above referenced plan at its regularly scheduled business meeting held April 22, 1985. The recommendation of the Plan Commission was a "conditional approval", contingent upon the following:

1) Development must meet all requirements of the Board of Public Works regarding sewer, water, drainage and construction of the roadway parking lots;

2) Access shall be off Sherborne and Coliseum Boulevard's. The intersection of Vance and Sherborne must be signalized and interconnected.

Entrance (off Sherborne) is to be built so that Eastwood does not have access.

Sherborne is to end in a cul-de-sac.

Coliseum entrance should have a guardrail in the median from Hobson to Vance.

Developer is to bear the cost of all street improvements including signalization and interconnect.

3) The applicant shall make all attempts to reduce off-site traffic: use staggered work hours; have all employees use major streets to come in and out on Coliseum Boulevard.

4) The height of buildings #3 and #1 are not to exceed 40.6 feet; the height of building #2 is not to exceed 54 feet.

5) All buildings shall not be closer than 70 feet from any lot line.

6) Parking lots shall not be closer than 60 feet from any lot line.

7) The landscape plan shall include four foot mounding along the south and west property lines. It shall incorporate the retention of trees and must be submitted for CD&P approval.

Robert Hoover
24 April 1985

Page two

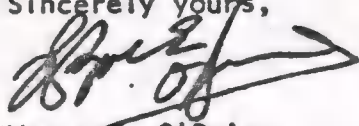
All new plant material related to a building and its associated parking lot be installed within two planting seasons after the issuance of occupancy permit for that building and parking lot.

8) One identification sign will be allowed, all other signs must be flush mounted on individual buildings.

9) Any on-site lighting shall not shine into the residential areas, and the lighting plan shall be approved by the Street Light Engineering Department.

If you have any questions, please contact me at 427-1140.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Wayne E. O'Brien", with a long horizontal stroke extending to the right.

Wayne E. O'Brien
Land Use Specialist

WEO:pb

CC: File

LAW OFFICES
SHOAF, PARKER & KEEGAN

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JOHN R. BURNS, III
STEVEN H. HAZELRIGG
PAUL D. MATHIAS
ROBERT E. GRANT
MICHAEL L. JAMES
TIMOTHY W. MOSER
JON A. BOMBERGER

FRED B. SHOAF
1877-1961

RICHARD F. BAIRD, JR.
1913-1979

JOHN D. SHOAF
1908-1982

CLIFFORD E. SIMON, JR.
1924-1984

FACSIMILE
(219) 422-5925

May 3, 1985

Mr. Mark E. GiaQuinta, President
Fort Wayne City Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Mr. Benjamin A. Eisbart
Chairman, Regulations Committee
Fort Wayne City Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

RE: Security Leasing, Inc. (Mutual Security Life)
POD Rezoning Petition
Bill No. Z-85-04-09
Vance Avenue and Coliseum Boulevard

Gentlemen:

On April 22, 1985, the City Plan Commission gave a "do pass" recommendation to the above-referenced petition to rezone property at the intersection of Vance Avenue and Coliseum Boulevard, Fort Wayne, Indiana, to "professional office development" classification. Such recommendation contained a conditional approval, contingent upon amendment of the development site plan in accordance with certain requirements as established by the Plan Commission staff.

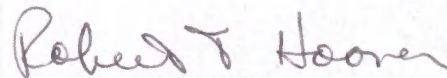
Upon receipt of the conditions established by the Plan Commission, it appeared to the petitioner that a number of the requirements were uncertain and required further clarification from Plan Commission staff and others. As to recommendations concerning traffic matters, it appears that the Plan Commission staff conditions were made without consultation or the approval of the Traffic Engineering Department or other regulatory

Mr. Mark E. GiaQuinta
Mr. Benjamin A. Eisbart
May 3, 1985
Page Two

agencies having jurisdiction over traffic matters. Accordingly, it will be necessary for the petitioner to discuss and refine these conditions with Plan Commission staff and the various City agencies prior to proceeding. It is petitioner's belief that upon such review it will be determined that a number of the Plan Commission conditions are inappropriate or not required.

5-11-85
We therefore ask that you please remove our petition for rezoning from your current agenda and that you continue our petition on rezoning until such time as we notify you that we have had an opportunity to discuss the preliminary development site plan and recommendations made by the Plan Commission with applicable City agencies. By this letter, we are also asking for permission to appear before the Regulations Committee to discuss the Plan Commission recommendations. We will contact you as to suggested timing as soon as we have had a chance to complete our review with the various City agencies.

Sincerely yours,



Robert T. Hoover,
Attorney for the Petitioner

RTH/sp

cc: Lester C. Gerig
Robert E. Howard
Joe Driver
James J. Schenkel
Brent Davis
Darrell G. Post

ORIGINAL

Admn. Appr. _____

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

3-85-04-09

SYNOPSIS OF ORDINANCE Northwest corner of Vance Avenue and Coliseum Blvd., bounded on the west by Sherborne Blvd., and Hazelwood and Campus Court Additions, on the south by Vance Avenue and on the north and east by Coliseum Blvd.

EFFECT OF PASSAGE Property is now zoned RA - Suburban Residential. Property will become P.O.D. (Professional Office District).

EFFECT OF NON-PASSAGE Property will remain RA - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____

BILL NO. Z-85-04-09

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of Fort Wayne
Zoning Map No. R-22

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

YES

NO

Charles B. Redd
CHARLES B. REDD
CHAIRMAN

Janet G. Bradbury
JANET G. BRADBURY
VICE CHAIRWOMAN

James S. Stier
JAMES S. STIER

Ben A. Eisbart
BEN A. EISBART

Donald J. Schmidt
DONALD J. SCHMIDT

CONCURRED IN 5-28-85

SANDRA E. KENNEDY
CITY CLERK